

LONDON BOROUGH OF WANDSWORTH

Planning for the Future – Planning White Paper Consultation Response

To be submitted by 29 October 2020 online and via email to:

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Are your views expressed on this consultation your own personal views or an official response from an organisation you represent?	Organisation: London Borough of Wandsworth Assistant Director of Environment & Community Services (Planning and Transport)
What region of England are you located in? (Select one)	London – London Borough of Wandsworth
<input type="checkbox"/> North East <input type="checkbox"/> North West <input type="checkbox"/> Yorkshire and The Humber <input type="checkbox"/> East Midlands <input type="checkbox"/> West Midlands <input type="checkbox"/> East of England <input checked="" type="checkbox"/> London <input type="checkbox"/> South East <input type="checkbox"/> South West <input type="checkbox"/> Don't know/ Prefer not to say <input type="checkbox"/> I/We operate nationwide <input type="checkbox"/> If another country (please specify):	

General comments on the Planning White Paper

We welcome the notion of reforming the planning system to improve quality and efficiency. We acknowledge that this is a genuine consultation by government and that a lot of the detail has not been developed yet. On this basis, we have tried to focus in our response where additional detail or evidence is needed to ensure that the desired outcomes can be achieved.

We think that the existing planning system could be amended to make it more effective and efficient. Wandsworth has a track record in delivering estate regeneration and homes on its own land. We also work closely with developers, such as in the Vauxhall Nine Elms Battersea Opportunity Area. However, we think much more emphasis is needed to ensure schemes are built out and delivered across the country. We recommend that government explores ways to speed up delivery by setting out parallel proposals for developers and landowners. One approach would be to further consider the report on the “Independent Review of Build Out” (2018) by Rt Hon Sir Oliver Letwin, which makes recommendations on how to close the significant gap between the number of housing completions and the amount of land allocated or permissioned on large sites in areas of high housing demand. In addition, the July 2020 Housing Delivery Recovery report of London’s Housing Delivery Taskforce contains some proposals worthy of further consideration.

Planning has always been about striking the right balance between different competing needs, demands and interests, and on the whole, we consider that this is working. The current system also allows for some flexibility and for local circumstances and issues to be taken into account. In Wandsworth we have a strong record of successfully delivering the homes that our residents need alongside providing the necessary infrastructure to create places we can be proud of and where residents want to live and work. We agree that the system needs to be improved and simplified in some areas. Our vision is that Wandsworth will maintain its special character, connectivity and neighbourhood distinctiveness, and achieve higher levels of growth in a sustainable and environmentally friendly way, bringing benefits and opportunities for all. However, we are concerned that the proposals seem to over-simplify the planning system, such as the proposed categorisation of land into three areas and the proposed fundamental changes to the Infrastructure Levy, as well as the general attempt to make as many decisions as possible at a national level.

In Wandsworth the current system has proved very effective: in 2019, 91 per cent of the planning applications submitted were approved, which is amongst the highest in London. The Council has consistently delivered above the targets in its up to date Local Plan and in the adopted London Plan. Alongside this, the Community Infrastructure Levy has enabled the Council to deliver the infrastructure needed to enable sustainable growth with a keen eye to the challenge of Climate change and now an adopted Action Plan to ensure that we deliver against the targets in the Wandsworth Environment and Sustainability Strategy (WESS). The Vauxhall Nine Elms Battersea Opportunity Area has been a focus for much of that development in recent years, creating a new town centre and local community on previously developed land.

We need to ensure that we have a planning system in place that allows us to respond to the unique qualities, needs, opportunities as well as challenges of different local places. The right outcomes can only be achieved through a system that allows a flexible response to local issues.

Whilst we appreciate that some authorities take a significant amount of time to produce Plans, Wandsworth has a track record of producing and successfully adopting Development Plan Documents, most recently the Employment and Industry Local Plan in 2018. We have embarked on

an ambitious timetable to produce our new Local Plan, and we are intending to consult on the first draft of the Plan in early 2021.

Wandsworth Council's ambition is to be the greenest inner London borough by 2030. There is the potential for the reforms to be revolutionary and for the UK to be a vanguard in tackling the climate emergency by comprehensively addressing the climate emergency through both plan-making and decision-taking functions, as well as guiding development and growth. Whilst we acknowledge that the White Paper only sets out some initial proposals, the focus on 'beautiful and sustainable' places could be expanded to ensure that climate change, wildlife and the natural environment also play a key feature in a revised system.

We also recommend that health and wellbeing are a key part of a revised planning system, at all levels, to enhance people's health and wellbeing, promoting and supporting healthy and active lifestyles and introducing measures to reduce health inequalities. In light of COVID-19, we should reconsider how we plan our homes and neighbourhoods. In addition, we recommend that the wider benefits of inclusive design at neighbourhood-scale as well as a requirement for well-designed, accessible homes that meet space standards is incorporated into a revised system.

Our population is ageing, and part of good design and placemaking will be to take account of demographics and ensure a range of housing typologies and tenures are built, and that our public realm is inclusive to all. We strongly believe that we need to address the needs of the most vulnerable in our society, which will enable us to meet other longer-term requirements, including savings to be made in delivering housing, health and social care.

In relation to the proposals affecting existing CIL and Section 106 processes, we acknowledge that this could be improved. Both CIL and Section 106 have yielded dividend for Wandsworth borough and are a key element of the resource needed to deliver development which residents support as they can see it improves facilities and amenities in their local area. The proposed changes will significantly alter the current arrangements working to our detriment. At a time of great economic uncertainty and with the financial pressures resulting from the COVID-19 crisis, we do not think this is the time to significantly shake-up the way we secure infrastructure and affordable housing. The Infrastructure Funding Statement requirement will ensure that Council's are held accountable for spending monies collected through Section 106 and CIL on providing infrastructure to support new development.

Finally, we would like to point out that the White Paper makes reference to, but does not ask specific questions on the following matters:

- **Planning fees:** In many instances the fee levied for each type of application does not fully cover the cost to the Council of determining that application. We agree therefore that "Planning fees should continue to be set on a national basis and cover at least the full cost of processing the application type based on clear national benchmarking." We are however concerned that prior approval applications have to be processed, consulted upon and determined in the same way as a household extension and the fee associated with them (£96) is lower than a planning application fee for a householder extension (£206). The same applies to listed buildings and conservation areas, where applications attract no fee. Broadly speaking, the numbers, types and scope of applications continue to increase but fee income does not by the same rate, yet the call on resources required to process those applications is also greater. This includes access to expertise in areas such as environmental protection and biodiversity.

- Skills strategy: We note the reference in the White Paper to the development of a comprehensive resources and skills strategy for the planning sector. This is considered essential to support the implementation of the reforms. We recommend that this will come with financial resources and government funding as local planning authorities will be at the heart of implementing the new reforms. It is worth noting that the planning sector is heavily reliant on a wide-ranging spread of statutory and non-statutory consultees, many are similarly challenged by lack of resources.
- Enforcement: We support the strengthening of planning enforcement powers and sanctions; this will assist in helping to uphold a rules-based system and to provide confidence to communities that where there is a breach of control this will be appropriately dealt with in a suitable timeframe. The current lack of priority given to Planning Enforcement Appeals by the Inspectorate is not assisting in providing that confidence that enforcement is an integral part of the process.

Pillar One – Planning for Development

Q1. What three words do you associate most with the planning system in England?	No comment
Q2. Do you get involved with planning decisions in your local area? (Select One) <input type="checkbox"/> Yes <input type="checkbox"/> No	Not applicable as responding on behalf of London Borough of Wandsworth
Q2 (a) If no , why not? (Select One) <input type="checkbox"/> Don't know how to <input type="checkbox"/> It takes too long <input type="checkbox"/> It's too complicated <input type="checkbox"/> I don't care <input type="checkbox"/> Other (please specify):	Not applicable as responding on behalf of London Borough of Wandsworth
Q3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future? (Select One) <input type="checkbox"/> Social Media <input type="checkbox"/> Online News <input type="checkbox"/> Newspaper <input type="checkbox"/> By post <input type="checkbox"/> Other (please specify)	No comment

<p>Q4. What are your top three priorities for planning in your local area? (Please select only three answers)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Building homes for young people <input type="checkbox"/> Building homes for the homeless <input type="checkbox"/> Protection of green spaces <input type="checkbox"/> The environment, biodiversity and action on climate change <input type="checkbox"/> Increasing the affordability of housing <input type="checkbox"/> The design of new homes and places <input type="checkbox"/> Supporting the high street <input type="checkbox"/> Supporting the local economy <input type="checkbox"/> More or better local infrastructure <input type="checkbox"/> Protection of existing heritage buildings or areas <input type="checkbox"/> Other – please specify: 	<p>No comment</p>
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<p>Q5. Do you agree that Local Plans should be simplified in line with our proposals?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Sure <p>Please provide supporting statement</p>	<p>We generally welcome the notion of reforming the planning system to improve quality and efficiency. There is scope to streamline the plan-making process and simplify Local Plans. The Local Plan Expert Group made some positive recommendations in this regard which merit further consideration. We also agree with the principle of making Local Plans more visually engaging, interactive, map-based and accessible in a range of formats. We also concur in principle with the notion of simplifying the approval process at examination, reconsidering the duty to co-operate and in general reducing the amount of evidence needed to justify an emerging Local Plan.</p> <p>However, the proposals are going too far in their aim to simplify the plan-making process. Whilst the process and final outcome of a web-based interactive Local Plan may look simpler and more accessible to the general public, their role is not simplified as to a large extent they seek to replace some of the planning application process. Local Plans will become more complex with an even more detailed, technical evidence base required which will have to be conducted by the local authority.</p> <p>A Local Plan will have a far wider scope in terms of its allocations for ‘growth’ and ‘renewal’ areas, the plan-making process needs to be completed in much shorter period, i.e. up to 30 months only in total. Based on our experience, this is not a realistic expectation and we would question whether this would lead to genuinely better outcomes and more certainty.</p> <p>There appears to be a conflict between Local Plans granting Outline permission / Permission in Principle (PiP) in ‘growth areas’ and the relaxation of evidence needed to support a Local Plan. The proposals suggest that the plan-making system would be used to circumvent the need for Outline / Permission in Principle (PiP), but we are concerned that a lot more evidence would need to be produced by the local planning authority to support this move. This links to resourcing and access to relevant expertise.</p>
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	<p>The definition of ‘substantial development’ will – it is assumed - be contained in a future NPPF. A national one-size-fits-all definition will be applied to what should be defined as ‘growth area’ will have fundamental implications on local authorities, with little opportunity for local engagement on this matter. A substantial development for a rural authority is likely to be the bread and butter work of an inner London borough.</p> <p>Therefore, we recommend that the proposals are amended to ensure there remains some flexibility in terms of categorisation of land into three areas (with the potential use of local sub-areas if needed), and that developers and landowners, i.e. those promoting sites for development, should carry out all the necessary evidence base to support an allocation as ‘growth’ area. Further consideration should be given to the definition of ‘substantial development’ perhaps making use of the data that MHCLG currently collects on the types of district and county matter applications.</p> <p>Strategic spatial planning</p> <p>We recommend that Local Plans continue to be the primary basis for setting out a spatial strategy and an overall approach that integrates corporate plans and programmes with the aim of improving a local area. There needs to be an ability for local authorities as part of the plan-making process to focus on wider placemaking initiatives and interventions that can collectively deliver positive change and that can be sustained through the necessary infrastructure that is required to support such change. In this way plans can properly consider matters which transcend administrative boundaries, or themes like health and wellbeing which have other geographical boundaries.</p> <p>Three categories in Local Plans</p> <p>We have some concerns that the proposed simplification into three categories/areas does not allow for an overall spatial strategy, and that in a complex urban environment like Wandsworth, it does not allow us to respond in a flexible manner to the unique local circumstances. For example, parts of our thriving town centres that are covered by conservation area designations could be categorised as ‘protected’ areas or ‘renewal’ areas or they could also be ‘growth areas’. In urban areas, there are no clear-cut boundaries. We therefore think that urban areas in particular are simply too finely grained for the proposed categories to operate effectively. Within the option of three categories, a lot of areas would neither fit into ‘gentle intensification’ nor ‘growth’ areas and they might fall into something in between (although this still depends on what the definition is for ‘gentle intensification’ or ‘substantial development’). In terms of areas for protection: the suggestion this might cover anything from green belt to conservation areas fails to understand what it is about each of these areas which is valuable, and an authority might wish to protect. The borough has 46 conservation</p>
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	<p>areas but within these areas there could be capacity for change to accommodate development in the future and having regard to comments in the white paper around heritage assets. It is not clear where the current statutory test to preserve or enhance might fit. The solution is not simply to remove conservation areas from the 'protect' zone; instead this is indicative of the finer grain of our built environment which is demanding of a greater degree of understanding than three zones.</p> <p>We recommend that government also considers some of the potential other issues, such as how we would apply the flood risk sequential test in the proposed approach. In the context of climate change, we are sure that Government would not wish to produce a system which involves greater levels of building in areas vulnerable to flood risk.</p> <p>In Wandsworth we have a track record of delivering large-scale developments and working with developers to achieve the best outcomes for the borough. A move away from Outline permissions, which were simply a red line around the site to a requirement to produce parameter plans then to return to a similar process (which is less onerous in consideration), would in our opinion not be an improvement. We are therefore unsure what the scope of the Local Plan's 'growth' areas is apart from simple guidance around uses, heights and density for growth areas. It certainly does not allow us to deal with the complexities of placemaking for an existing urban area or indeed balancing different competing needs and demands for land uses.</p> <p>With respect to the 'protected' areas, there will need to be an ability to take local issues and circumstances into account. From a practical perspective, we are not sure how the idea that conservation areas are 'protected' areas should be applied.</p> <p>We are concerned about the prospect of automatic approvals in renewal areas for certain forms of development, which appear to be predominantly a design-based decision, making use of pattern-book development of popular and replicable designs. This approach will not allow for the consideration of local context and setting, including site-specifics such as heights, set-backs, amenity etc. In our view, importing pattern-book developments into 'renewal' areas runs the risk of creating standardised developments that could be built anywhere, having no due regard to the local circumstances. This appears to be a significant extension of permitted development rights, and whilst we agree that this could lead to the 'intensification' of our towns, we do not think this is a 'gentle' approach to intensification and risks eroding local character. The White Paper's reference to such proposals enabling an 'industrialisation of housebuilding' is concerning, and it runs contrary to our vision of maintaining the borough's special character, connectivity and neighbourhood distinctiveness.</p>
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	<p>Therefore, we recommend that instead of the general presumption in favour of development in these areas, an application should be submitted to a local planning authority, who has the detailed knowledge and understanding of its local characteristics and context, and who will then be able to apply good placemaking and design principles / criteria to weigh up and balance the social, economic and environmental impacts, and thus ensure sustainable development.</p> <p>Climate change</p> <p>We appreciate that the White Paper is only a consultation and the detail is still missing; however, it is largely silent with regard to climate change and what role planning has to play to tackle this. We note that the Future Homes Standard consultation from earlier this year is not mentioned, in which we recommended retaining the existing approach that allows local authorities to continue setting their own standard based on local justification and evidence.</p> <p>We believe that the next generation of Local Plans will be the most crucial ever for tackling the climate emergency, particularly in relation to achieving the UK net zero carbon 2050 target as well as creating healthy and resilient communities. The proposed new planning system will determine whether planning becomes a genuine part of the solution to tackling emissions. Therefore, we recommend that the revised planning system:</p> <ul style="list-style-type: none"> - Requires that all Local Plans will need to help deliver the net zero target under the Climate Change Act, which will require an alignment of the Planning Act and Climate Change Act in a meaningful and direct way; - Sets out stringent carbon emission reduction targets in the proposed new national Future Homes Standard, which will operate as the floor and not the ceiling so as not to hinder ambitions by local authorities to exceed those Standards (particularly where this can be justified through local evidence); - Continues allowing local authorities to pursue carbon emission reduction requirements and specifically net zero carbon targets in their Local Plans; - Ensures that design codes will be able, and indeed required, to deal with key climate and sustainability elements, for example masterplanning to achieve a mix of uses that consider transport infrastructure and active travel that facilitate healthy lifestyles. Also requiring developers to integrate energy planning into proposals, such as around district heating networks, potential requirements for energy storage and the continued rollout of electric vehicle charging networks as well as integrating green infrastructure to ensure it delivers multiple benefits including climate adaptation.
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	<p>Biodiversity and environment</p> <p>On a similar token, there is little consideration for the natural environment and biodiversity in the proposals. The Paper does say that we must “take the opportunity to strengthen protections that make the biggest difference to species, habitats and ecosystems of national importance” and that there will be a separate, more detailed consultation published later in the year. However, we feel that there is a disjointed approach across government departments as we would have expected more detailed proposals to be contained within the Paper, such as the requirements for Biodiversity Net Gain (i.e. mandating this), the forthcoming Environment Bill that is currently going through Parliament and also that Nature Recovery Networks would be a key element of a proposed new system.</p> <p>Whilst a streamlined system is likely to be welcomed by many, we recommend that the process for Strategic Environmental Assessments (SEA) of the Local Plan, as required under EU law, is fully taken account of. The SEA process is designed to determine how adverse effects may be mitigated, but there is no detail as to how the simplified process will continue to provide the same level of protection. The granting of automatic outline planning permission or PiP is particularly concerning in this regard, without the need for SEA requirements at the plan-making stage.</p> <p>Given there is likely to be less scrutiny on impacts at the development stage, it is crucial to ensure that proper regard is had to whether the proposed local plan is likely to have any significant effects on the environment, and how these are mitigated and enhanced. The proposals suggest that an Environmental Impact Assessment (EIA) will not need to be carried out at the development stage; with the lack of SEA requirements at the plan-making stage, it is unclear how the environment will continue to be protected and enhanced. We welcome a revised system that focuses on speed of decision making, but it cannot be at the expense of unforeseen adverse impacts on the environment.</p> <p>We also recommend considering how biodiversity and green spaces can be safeguarded and enhanced in either the ‘growth’ or ‘renewal’ areas, and how will these fit with the Nature Recovery Networks. Nature, biodiversity and movement of species does not adhere to boundaries or rigid approaches. From the proposals set out in the Paper, it is not clear how green spaces outside of ‘protected’ areas should for example be addressed and considered, and there is concern that the biodiversity value of brownfield sites is underestimated, particularly when they are allocated as ‘growth’ or ‘renewal’ areas. We look forward seeing in a further consultation how the proposals will incorporate the Environment Bill’s proposals on net gain and improvement plans, particularly how biodiversity net gain would be secured in a growth area or through a PiP and in the absence of the section 106 regime.</p>
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	<p>Web-based plans and maps</p> <p>We strongly support the idea of a Local Plan being an interactive web-based map, where data and policies are easily searchable and more accessible for all. We are yet awaiting to hear details around additional resources and support for local authorities to implement the White Paper proposals as facilities available for local planning authorities are limited, and officers in plan-making teams do not currently have the knowledge or skills to implement the proposed move towards interactive web-based maps. It is questionable whether the envisaged technologies are sufficiently ready to align with the 30-month plan-making window aspiration and whether suppliers will be able to undertake necessary development work to enable systems to deliver.</p> <p>We also acknowledge that the White Paper’s promotion of mapping mirrors certain aspects of the Environment Bill, such as increased habitat mapping and the creation of Local Nature Recovery Strategies, and this is welcome.</p> <p>Statutory consultees</p> <p>As a local planning authority, we regularly liaise with statutory consultees in both plan-making and decision-taking processes, and we note that their resources to contribute and respond are limited. We consider that their roles need to be fully considered and brought into the reforms in a transparent and streamlined way to ensure they continue to have meaningful statutory functions in the plan-making process and are sufficiently resourced to do so.</p> <p>We also need to be mindful of the implications of bringing forward a new local plan process to all authorities in the country at the same time – including on statutory consultees as well as the Planning Inspectorate. PINS in particular will require lots of additional resources, especially as the same pressure will reoccur each time the Local Plans across the country need to be adopted. It would be preferable to focus pilots on areas that have previously struggled to deliver a Local Plan and ensure that transitional arrangements adequately cater for local authorities currently at an advanced stage in plan preparation, for example within a year of submission when the legislation takes effect.</p>
<p>Q6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development</p>	<p>In many instances development management policies are directly related to the spatial strategy and the overall aims and vision of a Local Plan. In the borough of Wandsworth, our Local Plan has finely balanced policies, justified and supported by local evidence that reflect local circumstances, issues and concerns.</p> <p>Judgements about good urban design and negotiations on schemes with the aim of achieving improvements are key features of the development management function, which require local expertise</p>

<p>management policies nationally?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>and understanding of the local context. The NPPF strengthened the role of design review; Wandsworth was one of the first in the country to establish a very successful panel of independent experts to ensure good design is achieved in the specific context of Wandsworth.</p> <p>The notion that development proposals will be able to demonstrate compliance with planning policy by using automatic machine-readable technology is concerning. If we are to tackle climate change, protect our biodiversity, support the local economy and provide much needed affordable housing, Local Plan policies need to be detailed and tailored to local circumstances, challenges and opportunities. It is unlikely that schemes for substantial development will satisfy every policy in a plan, a balanced assessment is therefore important.</p> <p>We agree that some generic, standard policies can apply across the country, it would be impossible to cover all eventualities, and some aspects may need different approaches depending on local circumstances.</p> <p>Wandsworth borough has generally high levels of viability, which in turn means that when we undertake whole-plan viability testing of our Local Plan, more stringent requirements can generally be afforded throughout the borough to meet other aspirations. Viability significantly varies by area, and we need to make sure that a set of national policies in the NPPF will not hold back more ambitious authorities, particularly if those requirements can be demonstrated to not affect the viability of development.</p> <p>Therefore, we strongly support the alternative approach which will allow local authorities to have a similar level of flexibility to set development management policies as under the current Local Plans system, policies which duplicate the NPPF would not be allowed. The current NPPF does not have development plan status, and hence a lot of authorities repeat some of the national policies to give them the development plan status. The current hybrid approach which sets policies on</p> <p>heritage and flood risk works. However, we need to have the discretion and ability to justify a different approach to national policy if local evidence and justification supports this.</p> <p>A suggestion is that the NPPF sets out in an Appendix the standard DM policies for the country, and that there is then an expectation that local authorities will follow these unless they have a reasonable justification as to why a deviation is necessary due to local circumstances. You may recall that there used to be standard conditions set out in a relevant Circular, this could be considered also. Another alternative may be to limit the scope of local development management policies to specific local matters, and perhaps standardise the way such policies are written.</p>
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	<p>In the context of London, under a stream-lined plan preparation process designed to take no longer than 30-months, there is limited opportunity for the Mayor to engage. In a new zonal system, it is far from clear what role the Mayor might have in strategic applications in future. There are instances where the referral of applications to the Mayor has resulted in delay and the production of a scheme which does not have local support.</p>
<p>Q7(a) Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Not sure</p> <p>Please provide supporting statement</p>	<p>A simplification of process of establishing a Local Plan’s acceptability is welcomed. We agree that the current arrangements and processes around Sustainability Appraisals, requirements under the Habitats Regulations and Environmental Impact Assessment are lengthy.</p> <p>We appreciate that MHCLG is seeking views on this matter; for now, we are not sure how the application of a single ‘sustainable development test’ for local plans will work in practice, and how it will factor in environmental limitations. The single test will also need to ensure the integration of environmental, economic and social objectives. Setting out potential impacts (both positive and negative) of options on other non-environmental matters, such as on equalities and protected characteristics, considering aspects of health and wellbeing, are incredibly important and will help demonstrate transparency to local communities.</p> <p>We also recommend that any revised system ensures that it’s not just about the process but that the focus is on outcomes. An advantage of the current Sustainability Appraisal process is that it sets out an audit trail of what options and alternatives have been considered.</p> <p>To ensure the new NPPF’s policies will have development plan status, we recommend that this is subject to Strategic Environmental Assessment or a similar exercise, to ensure environmental effects are appraised and alternatives considered and subject to public consultation.</p> <p>It is appreciated that a lot of detail still has to be decided, and we are particularly interested to see how government is intending that environmental impacts will be assessed, judged and controlled when designating land as ‘growth’ areas. We also strongly recommend that the single sustainable development test will incorporate a requirement for new development to meet stringent requirements on carbon emission reductions.</p>
<p>Q7. (b) How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?</p>	<p>In the context of London, the new proposed Standard Method results in an unrealistic figure of 93,532 homes per annum; without the duty to co-operate and given long term delivery rates in the capital are demonstrably constrained at around 30,000-40,000 homes per annum, there will need to be some clarity as to what will happen to the excess need and how will this be accommodated.</p> <p>Removing the duty to co-operate is not going to result in these wider than local planning issues going away..</p>

	<p>Without a mechanism or arrangement for proper consideration of more than local issues, there will be no means for effective planning at geographies above the level of local authorities. We note that recommendation four of the RTPI's Priorities for Planning Reform in England (April 2020) highlights that the replacement of regional planning with the 'duty to cooperate' has seriously reduced the ability of councils to plan for homes and infrastructure, health and wellbeing, and climate change.</p>
<p>Q8. (a) Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?</p> <p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Not sure</p> <p><input type="checkbox"/></p> <p>Please provide supporting statement</p>	<p>A Standard Method has already been introduced, albeit not one that takes into account constraints. In principle, we support the use of a Standard Method and there are a number of advantages to this, such as the removal of the complexities at Local Plan examinations around deriving a need figure for housing.</p> <p>However, as stated in our response of 1 October 2020 to the 'Changes to the Current Planning System', we have reservations about the proposed Standard Method. In Wandsworth we have a strong record of successfully delivering the homes that our residents need alongside providing the necessary infrastructure to create places we can be proud of and where residents want to live and work. Land is a finite resource and we have sought to ensure that land is maximised for its potential to support our endeavour. Against that background the Council cannot see how it could realistically ensure that 3059 homes per year be delivered as derived from the proposed changes to the Standard Method.</p> <p>We acknowledge that the White Paper is an early consultation proposal, but we are concerned that there will be very little detail as to how this would change. Will there be additional factors that will be considered, and will there be changes in the weighting around affordability? We have concerns with the proposal to focus housing in areas with the highest prices and land values, which also tend to be areas with the greatest shortages of sites and where there are also major constraints to development and redevelopment, not just physical limitations and constraints but also the constraints due to infrastructure capacities.</p> <p>We look forward to receiving further detail from government as to how it intends to practically incorporate the concept of constraints in a new Standard Method. To date, local authorities have established a housing need figure, including for different groups, by following the Standard Method. This does not then however directly translate into a housing requirement or target as part of the Local Plan; instead, local authorities have then considered the local housing land supply, past and likely future patterns of development, availability of sites, knowledge on sites and developers' ambitions to translate the need figure into a realistic target taking account of local knowledge as well as constraints. In London, the targets are derived in the London Plan, underpinned by a Strategic Housing Land Availability Assessment,</p>

	<p>where all potential sites for development are fully considered and constraints taken into account.</p> <p>Government will also need to consider what will happen in the absence of the duty to co-operate, particularly if a local authority is failing to meet the new nationally set housing number for its area, and there is no opportunity to engage with neighbouring boroughs to see if anyone would be willing to take on an authority's unmet need.</p> <p>We are also concerned that the proposal will lead to a pressure on local authorities to capture and maintain constraints data at a national level – for the London-wide SHLAA this is a significant exercise which is only carried out for a range of sites with development potential rather than the borough as a whole.</p>
<p>Q8. (b) Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?</p> <p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>Whilst affordability is an important factor, we disagree with the government notion that homes should be built in high demand areas. In our view, building more homes in high value areas will not make them more affordable, especially as developers and landowners are unlikely to flood the market to a level that would make house prices fall.</p> <p>We would therefore argue that the capacity of places to accommodate sustainable development should be the primary objective, and this will need to take into account other factors such as infrastructure availability (e.g. transport, sewer capacities etc.), availability of resources (e.g. water) and any other constraints (e.g. constraints resulting from heritage assets or topography).</p> <p>Overall, we are of the view that the inclusion of constraints within the calculation of the nationally binding housing target is not adequate to indicate the quantity of development that could be accommodated at a local level.</p> <p>There are so many local factors at play, we recommend pursuing the alternative option as we cannot see how this proposal could ever be done in a meaningful way at a national level, and hence it should be done by local authorities.</p>
<p>Q9. (a) Do you agree that there should be automatic outline permission in principle for areas for substantial development (<i>Growth areas</i>) with faster routes for detailed consent?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Not Sure</p>	<p>PiP gives no certainty that the proposal will ultimately be acceptable, and construction would be able to begin. In a developed and generally complex borough like Wandsworth, it is likely that the details are important and key to the acceptability of a scheme. It is not clear how for example the flood risk Sequential Test and Exceptions Test requirements could be met using a PiP, or at what stage and by whom assessments such as in relation to transport, contamination, air quality, noise, archaeology etc. are undertaken.</p> <p>We consider it would be crucial for the process to include a provision that a developer will be required to undertake these prior to the local planning authority allocating the site in the Local Plan. If however the proposal is for the planning authority to do these assessments, then this would have significant impacts in terms of resources, both financially and professionally, and it would become impossible to</p>

<p>Please provide supporting statement</p>	<p>complete the new style Local Plans within the ambitious 30-month timeframe – unless there were perhaps a sub-category of ‘growth’ areas, such as ‘initial growth area’ etc.</p> <p>Whilst we do not wish to repeat all the points made in our response on 1 October 2020, we do want to highlight the fact that statutory consultees have to be consulted as part of this process, and that sufficient level of information will need to be available to make such an important decision on the principle of development, particularly as this is aimed at ‘substantial development’.</p> <p>The revised planning system will also need to set out what happens in other eventualities. For example, if the expectation is that a Local Plan is reviewed every 5 years, there would need to be some mechanism by which a landowner/developer could put forward an alternative use to that already identified/allocated in the Local Plan. We are not sure how this would work in practice, but perhaps this would be similar to the current application process in terms of providing all the necessary robust assessment to support an alternative use.</p> <p>At this stage, we appreciate that a lot of the detail has yet to be worked out. We would welcome any guidance and detail on this in a forthcoming consultation in terms of how Local Plans could progress within the 30-month timeframe, without necessarily having to produce design codes and Masterplans for every growth area/sub-area, and whether there will be scope for the local authority to work with the landowners, to develop these codes at a later stage.</p>
<p>Q9(b). Do you agree with our proposals above for the consent arrangements for <i>Renewal and Protected areas</i>?</p> <p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>Whilst we fully understand that this proposal would help to speed up decision-making, as already stated in our response to Question 5, we are not comfortable with the presumption in favour of development in renewal areas.</p> <p>The proposal would result in a significant resource need for local planning authorities; there needs to be financial and professional support for upskilling of current planning officers in the Councils’ planning departments as well as additional resources. Without additional resources, the propositions set out in the White Paper are highly unlikely to be realised.</p> <p>Wandsworth wants to become the greenest inner London borough by 2030. Therefore, we want to ensure that schemes will lead to environmental improvements, and the Council strongly supports the Biodiversity Net Gain requirement. There is an opportunity for government to set out a clear relationship of the revised system with the requirements of the Environment Bill provisions.</p> <p>We would support the principle of Local Development Orders, but again, this has significant resource implications as they are lengthy to complete and would require full engagement with the landowners/developers. The resources needed to produce extensive LDOs, pattern books, design codes etc. should not be</p>

	<p>underestimated; these resources are not currently available within planning authorities to deliver the government’s ambitions.</p> <p>Whilst we are fully aware that the existing system is not perfect, we have found that the existing planning process has been successful in achieving sustainable development and growth in our borough.</p>
<p>Q9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>No comment on this as it’s of limited relevance to a borough like Wandsworth.</p>
<p>Q10. Do you agree with our proposals to make decision-making faster and more certain?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>We support in principle the notion of fast decision making and government’s ambitions and aims in this regard. In Wandsworth in particular, we very effectively use the pre-application process and we will always seek to negotiate amendments with developers where appropriate to achieve acceptable schemes rather than refuse permission.</p> <p>Our concerns can be summarised as follows, some of which overlap with comments made elsewhere in our response:</p> <ul style="list-style-type: none"> - Determining applications within fixed and unextendable deadlines is a concern without an effective Skills and Resources Strategy for local planning authorities. - Determining applications within an unextendable deadline puts potentially ‘speed’ before the ‘quality’ of decision. The authority may be forced to refuse applications that are negotiable due to lack of time, which may lead to an increase in appeals and repeat applications, where a fee may not be applicable, and overall the time taken to achieve a successful planning permission ready to be built out would be longer. - The quality and quantity of materials to be submitted may be insufficient or potentially of poor quality, particularly in relation to the proposed maximum 50-page standardised planning statement. Sufficient information will be necessary to enable a robust appraisal by the planning officers and to understand the associated impacts; setting a word limit is not considered to be appropriate when everyone involved in the process wants to achieve good places and design for people, with good outcomes for the environment. - Given that allocations made as part of the Local Plan for e.g. ‘growth areas’ will be supported by limited details, new constraints and hurdles could come to light at the application stage, such as in relation to contamination, during the

	<p>determination process, leading to delays and ultimately refusals if the deadlines are unextendible. Depending on the size and complexity of a scheme, we consider that the information needed to support an application cannot be standardised or dealt with through a one-size fits all approach, but it should be commensurate to the type and scale of development proposed.</p> <ul style="list-style-type: none"> - We think a revised planning system needs to allow for and indeed encourage negotiations on schemes, which may also be necessary in relation to mitigation measures. Wandsworth has a track record in dealing effectively with planning applications. We would like to operate in a system that encourages us to work with developers rather than refusing schemes due to missing or incomplete information as ultimately this would just delay the development and delivery of a site, particularly if it had to be determined by the Planning Inspectorate. - We are not clear how government envisages the use of design codes and how they will enable a digital assessment of plans against the code. It is also unclear how the process will manage applications that deviate from the design code – will an architecturally distinct, beautiful and sustainable building suffer from ‘computer says no?’. - It is not clear whether the role of statutory consultees has been fully considered in the proposals. Considerable work is undertaken by other bodies in the assessment of potential impacts, such as the Environment Agency in relation to flood risk matters, Transport for London on highway matters, Sport England, and Historic England in relation to archaeology and other heritage assets. This work and engagement with statutory bodies is absolutely essential, and it allows us to engage productively with landowners/developers to help them seek necessary amendments to proposed schemes as well as seeking the necessary infrastructure, services and mitigation measures as required. - There is little recognition that developers/applicants may also be the source of delay, for example through the lack of information, poor quality submission, unacceptable aspects of the proposal and time taken to turn around amendments. We think there should also be proposals to hold applicants to account for failing to meet more rigid timescales proposed in the White Paper. - We think that flexibility in the application process (including on time extensions) allows for the right decision to be made, avoids unnecessary appeals and repeat applications and the costs and unnecessary delay for both the planning authority and the developer. - We consider that the proposed timescales undermine the democratic process in the form of taking applications to planning committee. Residents and neighbours are unlikely to show interest in a scheme until the detail is outlined and
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	<p>matters of design, neighbour amenity, trees, biodiversity and transport matters are realised. In a borough with high levels of population turnover such as Wandsworth, new residents may also feel they have not been given fair chance to comment on proposals affecting them with only an early stages opportunity to participate.</p> <ul style="list-style-type: none"> - It is not clear from the proposals what the future role of the Planning Committees will be; it appears that they will have a significantly reduced role and deal with principles of development as opposed to the detail. - The automatic rebate of the planning application fee following a successful appeal raises significant concerns. There will always be matters that are not necessarily black and white, particularly in relation to ‘beautiful’ design, potential impacts on the local character or heritage assets such as conservation areas, as some of these matters can be subjective. We therefore consider that the automatic rebate should only happen where the Inspector agreed that a refusal constituted ‘unreasonable behaviour’, or the developer was subject to unnecessary or wasted expense in the appeal or unreasonable behaviour by the Council, similar to the existing ‘costs process’. - We work proactively with applicants and developers in the borough. We think that ‘deemed consents’ if an application is not determined within a timed period has the potential to result in poorer decisions, developments of lesser quality than originally sought, potentially unnecessary refusals and appeals where matters could be have been overcome if time allowed for negotiations and less democracy in the planning process (due to planning committee dates). <p>With regard to the proposal for greater digitalisation, we are generally supportive. It will however require significant investment, support and resources. The proposed nation-wide spatial database of local policies, design codes, historic or legacy data (e.g. extant planning applications etc.) sounds in theory like a good idea to assist developers, but government needs to be mindful that it will require an enormous migration process of data and constant monitoring of potential changes.</p> <p>On a similar token, the aim of standardising data at a national level is supported. However, we do have some concerns in relation to standardised data for developer contributions and viability. Contributions cannot be based on averages and they have to reflect local circumstances and policies.</p> <p>Finally, we would like to note – as already set out in our response on 1 October 2020, that the White Paper’s proposals do not seek to address the issue of ‘land banking’. This Council is of the view that there also need to be measures proposed to get housebuilders to build out their permissions across the country in order to meet the</p>
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	<p>300,000 new homes target. Setting housing targets will not help to deliver the homes that the country needs; it simply adds to the number of consents. In the last decade, Local Planning Authorities have granted permission for over 2.5 million homes, and over 1.5 million have been built. In the last year alone, 371,000 permissions for homes have been granted, and 241,000 delivered. In London alone, there are approximately 300,000 unimplemented units at present with around 14,000 homes currently consented in this borough and only some 6000 now under construction. Wandsworth has a strong track record in delivering estate regeneration and homes on its own land. We also work closely with developers, such as in the Vauxhall Nine Elms Battersea Opportunity Area to work to support and facilitate the bringing forward of schemes. However, we think much more emphasis is needed to ensure schemes are built out and delivered across the country. We recommend that government explores ways to speed up delivery by setting out parallel proposals for developers and landowners to combat potential low build-out rates in other parts of the country. This could take the form of a timeline for development which is required to accompany any application and tied into the permission process to ensure that once consent is granted work gets underway to an agreed timeframe giving more certainty to land supply and deliver. There could be penalties associated with failing to deliver to the timeline. Another alternative could be to make the application documents intellectual property rights available to other developers who wish to intervene and deliver a consent with a discounted rate then applied to the sale of the land due to the failure to implement the live permission.</p>
<p>11. Do you agree with our proposals for digitised, web-based Local Plans?</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>Yes, we fully support more digitised, web-based Local Plans. At the moment, each authority’s local plan looks different and a standardised template could help achieve transparency and may also make comparison between Local Plans easier.</p> <p>Standardising templates for use for Local Plans as well as for decision-taking will require expertise, software and equipment that local authorities currently don’t have. For example, a range of GIS and software is currently used for the production of Local Plans or for supporting the planning application and decision taking system.</p> <p>Wandsworth Council would like to offer to work with government to see what resources and training would need to be provided to local authorities to assist in this shift to a more digitised planning system; this is a key point in our emerging local plan which would enable the Council to act as a pilot.</p> <p>Nonetheless, we recommend that the revised planning system ensures access for all. There is otherwise a danger that we exclude a part of our society who do not have access to technology, or the skills to use the technology. We know digital poverty is an issue in Wandsworth borough. To ensure fairness and equality, for example the provision of hard copies in certain locations should still be factored into the Local Plan process.</p>
<p>Q12. Do you agree with our proposals for a 30 -</p>	<p>We would welcome a more streamlined plan-making system. What is proposed is not a more streamlined system given the need to prepare</p>

<p>month statutory timescale for the production of Local Plans?</p> <p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>design codes, Masterplans for large sites, developing an evidence base (albeit somewhat diminished), and front load elements which will allow for PiP. Consequently this timescale seems unrealistically optimistic.</p> <p>We generally support the notion of frontloading the process and early engagement with the communities. However, there are lots of uncertainties as to what evidence base will be required, and for example for ‘growth’ areas, it is not clear who will carry out and pay for the evidence needed as well as the site-specific assessments. In addition, local authorities will need to prepare design codes, masterplans for large sites as well as plan for the infrastructure and needs of an area to support the anticipated growth. Moreover, there will continue to be some sort of requirement to liaise with other bodies on strategic and/or cross-boundary issues (no matter whether the Duty to Co-operate is removed or not).</p> <p>We also have concerns around the stages of the Local Plan making process, i.e. the first ‘consultation’ is mainly on what land should be categorised into which of the three areas; this is more akin to a ‘call for sites’ exercise rather than a consultation on draft proposals. The second stage is effectively a consultation on the draft Plan that will be submitted to the Planning Inspectorate without an opportunity to amend the Plan in response to feedback and representations made by the community, developers, landowners and statutory bodies. In the current planning system, there is an opportunity to address concerns raised and consult on a final draft of the Plan, which will ultimately speed up the examination process if issues can be ironed out ahead of the submission. We would recommend allowing for a slightly longer timeframe for the preparation of Local Plans to incorporate a further round of public consultation on a draft Plan so we can garner widespread support ahead of submission to PINS. We also think that this would then make the task of the Inspector in assessing the Plan easier. There is an alternative that allows the Council to make further changes to the Plan and then formally submit it to the Inspector rather than conducting a further round of consultation.</p> <p>An arbitrary limit on consultation responses is unnecessarily restrictive for consultees, and in practice, Appendices are then used to overcome this restriction.</p> <p>We do not have a particular view on the ‘right to be heard’ at the examination in public stage. In our experience, some consultees use this right to merely emphasise the points they’ve already made in a written submission. However, we are also mindful that the deliberation and discussion that occurs at examinations can help to arrive at a consensus, thereby also achieving community buy-in, with the ultimate aim to have better thought out plans and policies.</p>
<p>Q13. (a) Do you agree that Neighbourhood</p>	<p>Whilst we are generally supportive of neighbourhood plans, we question what the role of a neighbourhood plan would be in the new</p>

<p>Plans should be retained in the reformed planning system?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Not Sure Please provide supporting statement</p>	<p>Local Plan system, particularly in one that categorises land into different zones. In addition, the approach of nationalising and standardising elements of the planning system is likely to further diminish the role of neighbourhood plans, other than perhaps allowing local groups to draw up and consult on local design codes.</p> <p>We also consider that the neighbourhood planning process would need to be fundamentally reviewed to be aligned with the reforms to the local plan making system. We would expect government to provide guidance and detail on what neighbourhood plans can cover.</p> <p>We can see some merit in ‘street-level’ neighbourhood plans as suggested in the White Paper. However, we think that this could lead to a potentially excessive resource burden placed on local authorities. It could also undermine those streets and areas, which do not have the social capital (in terms of time, resources and skills). It is also questionable whether we want to see a pastiche of current typology; if we want to genuinely deliver more homes, including also on small sites, then we need to find more innovative ways of encouraging development that is design-led and optimises capacities, and this will involve having to look at innovative architecture.</p>
<p>Q13 (b) How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?</p>	<p>In our experience, the neighbourhood planning process relies heavily on local volunteers who have the ability and capacity to give up their own time to develop specific proposals. They also rely on government funding, which they have to be able to confidently navigate and apply for. In addition, they can be a drain on local authority resources due to the need to support them with technical aspects of the work, providing data and information etc. It is not thought that local volunteers would have the knowledge and skills to draw up local design codes, and ultimately, they would need to engage consultants to do so, which would be a costly exercise.</p> <p>We think that neighbourhood plans should continue being able to develop locally distinctive policies and proposals that build on an adopted or emerging Local Plan on matters that are important for the neighbourhood area in question. The question posed by MHCLG however suggests that the role of neighbourhood plans may be limited to design preferences rather than giving them the ability to cover broader planning considerations that may be of equal or higher importance than design.</p>
<p>Q14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>In principle, we agree that government should be focusing on faster delivery of development with strong build out rates. The proposals set out in the White Paper are mainly aimed at local planning authorities and we think that the opportunity should not be missed in the reform of the planning system to encourage delivery of permissions and build-out of schemes. The report on the “Independent Review of Build Out” (2018) by Rt Hon Sir Oliver Letwin makes recommendations on how to close the significant gap between the number of housing completions and the amount of land allocated or permitted on large sites in areas of high housing demand. In addition, the July 2020 Housing Delivery Recovery report of London’s</p>

<p><input checked="" type="checkbox"/> Not Sure Please provide supporting statement</p>	<p>Housing Delivery Taskforce contains some proposals worthy of further consideration. In response to Q10 we have suggested other alternatives and further note the previously considered “use it or lose it” provisions. The Government should consider how this might interact with the new regime proposed under the Building Safety Bill for the regulator and gateways including Gateway 1 which on the face of it would not link with the proposals in this White Paper.</p>
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Pillar Two – Planning for Beautiful and Sustainable Places

<p>Q15. What do you think about new development that has happened recently in your area? (Select One)</p> <p><input type="checkbox"/> Not sure / indifferent</p> <p><input checked="" type="checkbox"/> Beautiful / well-designed</p> <p><input type="checkbox"/> Ugly / poorly-designed</p> <p><input type="checkbox"/> There hasn't been any</p> <p><input type="checkbox"/> Other (please specify):</p>	<p>Wandsworth borough has a whole raft of examples of good design in recent new developments. Part of this is due to the ability to negotiate with developers and applicants to ensure schemes are right and that mitigation measures are identified. Another key aspect of our achievements is the fact that our existing Local Plan has finely balanced policies in terms of directing certain types of developments and different uses towards suitable areas and locations in the borough.</p> <p>We think that new development could try and achieve more in relation to carbon emission reductions. To address this, we are developing more ambitious policies in our emerging new Local Plan policies, based on justification and evidence. The fundamental reform of the planning system provides a once-in-a-lifetime opportunity to tackle the climate emergency and the ever-increasing threats to biodiversity. We therefore recommend that climate change and the natural environment is alongside other measures at the heart of a reform of the planning system. This will require for example the mandatory adoption of biodiversity net gain to ensure that all development (large and small) incorporate this into their layout, adding to sense of place and design, and also not treating it as a 'bolt-on'.</p> <p>Whilst this question appears to mainly focus on design, we think that viability considerations play into current decision making, particularly given that in the current system, only the level of affordable housing can flex depending on scheme viability. Even in high value areas such as Wandsworth, developers continue making a viability argument to reduce on-site affordable housing and/or the financial contribution to affordable housing. The way the system works means that year on year the number of affordable homes (particularly for social rent), which are required to address a priority need in the borough, continues to increase the gap between need and provision.</p> <p>Finally, we would like to point out that the reference to 'popular design' is considered unhelpful. Wandsworth borough has a large number of distinct character areas, with some areas demonstrating outstanding architecture as well as a high concentration of designated heritage assets. What is considered beautiful can be highly subjective; new development and architectural styles do not always appeal to everyone on all levels. Contemporary and non-traditional design may be interpreted by some as poor design whilst traditional pastiche designs may not be seen as authentic in their function, use or detail. What is important is that the quality of the materials and finishes are achieved, we have experience of value engineering significantly reducing the final design quality of a scheme unless the planning team ensures it is tied in through conditions; in this regard the Design Review Process has proved useful. In general, however, the majority of development in the borough is of quality design and informed as well as respective to the local context and</p>
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	<p>character. The Council would be willing to share its learning if this is beneficial.</p>
<p>Q16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area? (Select One)</p> <p><input type="checkbox"/> Less reliance on cars</p> <p><input type="checkbox"/> More green / open spaces</p> <p><input type="checkbox"/> Energy efficiency of new buildings</p> <p><input type="checkbox"/> More trees</p> <p><input checked="" type="checkbox"/> Other (please specify): All of the above and more</p>	<p>Wandsworth Council has adopted its Environment and Sustainability Strategy 2019-2030, which sets out an overarching framework, including approaches and actions to tackle the growing threat of climate change, to become the greenest inner London borough and net zero carbon. The vision of the Strategy sets out that we will commit ourselves to being carbon neutral as an organisation by 2030 and zero carbon by 2050.</p> <p>The Strategy itself addresses specific areas of action that we need to pursue, including:</p> <ul style="list-style-type: none"> • We will make Wandsworth the greenest Inner London borough by committing ourselves to urban greening, planting trees, encouraging biodiversity, protecting and enhancing our existing parks and open and green spaces • We will ensure that our planning and development approach is robust on our requirements around climate change and environmental issues so that development in the borough is low carbon, sustainable and does not negatively impact on the environment • We will drastically reduce the amount of waste we produce as an organisation and enhance our community leadership role to help and support residents and businesses to reduce, reuse and recycle in their everyday lives • We will improve our fleet of vehicles by first making they are ULEZ compliant and then move to electric and other renewable fuel sources for our fleet. We will support residents to make a shift in their transport choices and will encourage micro-mobility, such as car sharing, electric scooters and cargo bikes and fulfil our commitment to improve our electric vehicle infrastructure and make Wandsworth the easiest place in the country to run an electric car. • We will improve our air quality, with our actions on transport, planning and development all contributing to improving air quality, including tackling pollution and emissions from engine-idling • We will reduce the amount of energy that we use as an organisation, improve the energy efficiency of our housing stock and help our residents to become more energy efficient. The refurbishment of Wandsworth Town Hall will be a flagship building for energy efficiency, whilst respecting its listed status and highlight our eco-credentials • We will reduce pollution entering the Thames, especially plastics, and ensure the shore of the Thames is clean. • We will reduce the environmental impact of the purchasing and consumption of the Council, staff and contractors. We will build the principles of sustainability into the way we procure goods and services and encourage our suppliers to improve their own environmental performance.

	<p>As already stated in our response to Q7(a) above, government needs to consider the social and economic factors in the context of sustainability, in addition to environmental considerations. It is therefore important that any revised planning system takes a holistic view of sustainability.</p>
<p>Q17. Do you agree with our proposals for improving the production and use of design guides and codes?</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>In principle, the Council supports the development and use of design guides. Design is a critical and important aspect in the planning system, and the White Paper’s focus on design is welcomed.</p> <p>Design codes should respond to the place, its local character as well as the content and wider surrounds. Wandsworth is characterised by many different neighbourhoods, and therefore you would need a whole raft of design codes in our borough, which has resource implications. We also note that it is proposed that the development of design codes will provide a key interface with the public. Debating and agreeing on a final code is likely to take much resources, energy and time. For the general public to be involved in consultation on design codes they will firstly need to understand what they are, the different types, and how they are used in the planning system in order to allow for meaningful engagement with the process.</p> <p>We would recommend that Design Review Panels (DRPs) should have a role in scrutinising proposals and draft design guides and design codes. Applicants normally fund DRPs and we therefore recommend that as part of the Resource and Skills Strategy this particular new task for local authorities is fully considered.</p> <p>There is a risk that design codes may result in uniform places without a distinctive character, due to them being too simplistic, having insufficient time as well as skills involved in producing them, especially if the design assessment is going to be based on computerised algorithms. This is on the assumption that local authorities will be tasked to write the design codes (this is not actually clear from the proposals set out in the White Paper). The principles of good placemaking need to be incorporated, design guides and codes should cover much more than visual and aesthetic elements; creating places for people to live, focusing on how places interact and allow for people to connect, and generally providing good living environments should be a focus of design guides and codes, all of which should ultimately be considered to be intrinsic to ‘beautiful’ design. Guidance on producing successful design codes will be needed to ensure that these will not solely lead to pastiche and replicas of what currently exists. The codes will also need to allow for some flexibility, because they may be produced but then a planning application may be submitted some years down the line.</p> <p>We therefore recommend that design codes will cover a whole variety of elements such as the mixture of uses, tenures, layouts, densities, access to open space/playspace, energy efficiency, environments that encourage active and healthy lifestyles including cycling storage etc. Ultimately, design codes should reinforce key</p>

	<p>principles that reinforce best practice urbanism and the character of a place without getting into issues of style, architecture, aesthetics. It will also need to be made clear whether they are mandatory or discretionary.</p> <p>The White Paper isn't necessarily clear on when design codes should be drawn up. We recommend that they can be produced after the Local Plan rather than in tandem due to the resource requirements and engagement with the public, all of which would have implications on the 30-month timeframe for Local Plans.</p> <p>We have some reservations around the White Paper's proposals on 'popular' design because local people may want to focus on the visual appearance of a development, and they wouldn't necessarily be that interested in other important elements that make a liveable place, which will be of key importance for future occupiers (who wouldn't be part of the consultation process and vote on 'popular' design). Equally 'beauty' is in the eye of the beholder – this is an area which is subjective whereas what constitutes good design can be identified through a series of objective assessments on the matters set out above. National Criterion could be developed alongside the National Design Guide and National Design Code.</p>
<p>Q18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>We support in principle the establishment of a body similar to the Design Council and the support that previously CABE has provided. It is not clear from the published proposal who the new body would be made up of, but we would expect qualified professionals with experience in the work rather than individuals with an opinion. There should be a link to the Chief Planner at MHCLG. It is also not clear whether they would just provide support to local planning authorities to improve design, or whether they would also have a more formal role in the examination of any new design guides and local design codes. We would recommend that the new national body takes an advisory role, both for central government in terms of the strategies as well as resources needed for local authorities, and for local government to provide an advisory role on for example producing design codes. We also recommend that existing Design Review processes and Panels like the Wandsworth Design Review Panel and their role could be enhanced in the development and review of design guides and design codes.</p> <p>Existing Chief Planning Officers / Heads of Service have the expertise and desire to champion good design and placemaking principles. The role of Chief Planning Officer should be made statutory.</p> <p>Notwithstanding the above, there is a need for resources as well as upskilling of existing local authority planners to be able to deliver against the aims and objectives of a new planning system.</p>
<p>Q19. Do you agree with our proposal to consider</p>	<p>In general, we think that Homes England could lead by example to deliver well designed developments that respect the environment.</p>

<p>how design might be given greater emphasis in the strategic objectives for Homes England?</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>The objectives are however very strategic, for example, they could be a lot more robust in terms of promoting health and wellbeing, active lifestyles as well as inclusive design. In this context, note that the HCA/Housing Corporation previously produced Design Quality Standards and Housing Quality Indicators, which included references to specific standards relating to accessibility and adaptability and space.</p> <p>We note that one potential option is for it to be the independent body responsible for setting design standards. Whilst no further details are published in this regard, we think there may also be a potential for Homes England to act as the effective link between government and the industry in ensuring strategic objectives are delivered. Homes England might also have a greater role for ensuring build out rates and delivery on key sites.</p>
<p>Q20. Do you agree with our proposals for implementing a fast-track for beauty?</p> <p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>Whilst we acknowledge government’s ambitions in speeding up decision-making in a new system, we are concerned with this proposal because ‘beauty’ is a highly subjective term – it is very much in the eye of the beholder. We are aware that officers at MHCLG have emphasised since the publication of the consultation that ‘beauty’ means more than visual appearance and aesthetics; however, to avoid any confusion we would recommend exchanging the term ‘beauty’ with ‘exceptional-quality design’ or with another less ambiguous phrase that is not as subjective and open to interpretation. Any fast track based on personal taste and opinion will be inherently flawed and not supported.</p> <p>Ultimately, we think that important planning and design considerations should not be overlooked and should be fully considered. The design and external appearance of new developments is only one part of an equation that planning officers take into account. New development should be high quality and well designed, respecting the existing context and complementing existing built development. A key consideration should be the function of a building and the users’/occupiers’ experience; it is important that a building performs as it should do for the users and occupiers, as well as in the context of the wider agenda in terms of addressing climate change objectives and improving and enhancing biodiversity. Therefore, whilst we welcome the renewed focus on high quality design, applications shouldn’t be fast-tracked by virtue of its design or beauty; many elements need to be fully assessed such as infrastructure provision and capacities, biodiversity, trees, noise, air quality, flood risk, impact on neighbour amenity and mitigation etc.</p> <p>We are concerned at the prospect of widening permitted development rights to enable ‘popular’ and ‘replicable’ development and the use of ‘pattern books’ to be approved easily and quickly. This does not translate into high quality development, can be regarding as stifling modern and innovative design that is of high quality and result in pastiche developments.</p>

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Pillar Three – Planning for Infrastructure and Connected Places

<p>Q21. When new development happens in your area, what is your priority for what comes with it?</p> <ul style="list-style-type: none"> <input type="checkbox"/> More affordable housing <input type="checkbox"/> More or better infrastructure (such as transport, schools, health) <input type="checkbox"/> Design of new buildings <input type="checkbox"/> More shops and/or employment space <input type="checkbox"/> Green space <input type="checkbox"/> Don't know <input checked="" type="checkbox"/> Other (please specify): 	<p>All these aspects are priorities when new development comes forward. If we have to make a decision on certain priorities, then this would be done on a case-by-case basis, dependent on the site's circumstances and needs of the particular local area and wider community in an overall planning balance.</p> <p>In our view, the design of new buildings / design quality is a matter of course and therefore fundamental for all new developments. In addition, the provision of affordable housing and green spaces, particularly in larger developments, is also a given (unless they are very specific local circumstances such as an existing green space on or in proximity to the site); the pandemic has reminded all of us how important these spaces are for health and wellbeing.</p> <p>The value and importance of place making and of planners within a process considering a breadth of competing matters and acting in the wider public interest is not well understood.</p>
<p>Q22. (a) Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Sure <p>Please provide supporting statement</p>	<p>We acknowledge that there is scope to improve the current system of developer contributions. However, we fundamentally disagree with the proposal to replace it with a new nationally set tariff. The current system is working exceptionally well in Wandsworth now it has had time to bed in, expertise to administer it is in place and the most pertinent issues with the Regulations have been addressed. Ideally the current system should be made simpler and closer to its original purpose: the key is to ensure that development is supported by the infrastructure required: a strategic approach as set by CIL is the best approach implemented to date. Any replacement mechanism will be subject to the same pressures, challenges and eventual complexities. In Wandsworth the current mechanisms demonstrably work and deliver to the benefit of existing and future residents.</p> <p>We are therefore very deeply concerned that this proposal will significantly negatively impact the delivery of infrastructure as well as affordable housing in the borough. The Council has planned for a new school, health services as well as a new underground line to support development in the Vauxhall and Nine Elms opportunity area, working with key partners but also providing significant funding from CIL and S106. This is as well as infrastructure to support development in the wider Wandsworth area, for example removal of the Wandsworth One Way system, and investments in local schools and highways infrastructure. We have a good track record and experience in delivering large scale infrastructure through CIL and s106, and we</p>

	<p>would be happy to engage with government to share our learning and expertise on this; particularly in the context of an identified growth area.</p> <p>Whilst there may well be some minimal benefits arising out of a national levy, such as savings in terms of resources and expenses in setting a CIL Charging Schedule in the first place, a one size fits all approach is unlikely to work. Although CIL is predicated on a funding gap it is developed with due regard to the infrastructure needs to support a local plan (that link would remain), the cost of that provision and the viability of development coming forward by typology. What is required by each authority to support growth will vary as viability varies from region to region and place to place due to development costs, even within authorities. In addition, local or site-specific constraints may add to the complexity of viability. We acknowledge that the White Paper says that the levy may vary, but no detail is provided as to how finely grained this variation would be. In Wandsworth, we have relatively high land values which means that generally developments can afford s106 and CIL contributions as well as bringing forward policy compliant affordable housing to meet local needs. The Council cannot accept a system which might deliver much less whilst requiring a greater scale of growth. A single rate might mean that the ambitions of delivery at the scale of Vauxhall Nine Elms Battersea with a Northern Line Extension could never be replicated, undermining the desire to ensure at least 300,000 homes a year is delivered.</p> <p>We are concerned with the notion that the new system will be simpler, faster and clearer, when overall there is still a lack of detail and clarity. At this stage we don't know how the proposed Infrastructure Levy will affect viability; how rates will be set at a national level; how the restrictions on the scope of s106 agreements would affect our ability to seek affordable housing, as well as other measures to make a development acceptable; how the development value (GDV) would be assessed, including by whom and whether this would be on a site-by-site basis or not, whether there will be an independent examination etc.</p> <p>The lack of evidence in supporting this fundamental change is of concern, particularly as assumptions are made in the White Paper such as that the new levy will increase revenue levels nationally compared to the current system with no evidence to underpin that assertion.</p> <p>The Council would prefer this proposal to be shelved. If Government intends to pursue it we would request, as a minimum, a further consultation to be undertaken on this, which should include some more details of the operation of the new system, including worked up examples across a variety of scheme typologies in different parts of the country and setting out what the likely contribution would be in order to undertake a meaningful comparison with the current system of CIL and s106.</p>
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	<p>It appears that part of the problem with CIL is the lack of take-up across the country. Whilst Wandsworth has been successfully operating a borough-wide CIL since 2012, we can understand why some local authorities may have been deterred by the process, particularly as there have been lots of changes to the CIL regulations that over time have significantly blurred the lines between the CIL and s106 mechanisms. As we were one of the first authorities in the country to have an adopted CIL Charging Schedule in place, and have substantial experience in implementing CIL, we would be more than happy to share our learning and experience on this with government. We would also recommend for government to consider offering more detailed support and resources for those authorities who have never developed a CIL Charging Schedule to help them get this set up; having a CIL Charging Schedule in place could be made mandatory rather than optional, similar to the requirements around Local Plans and Infrastructure Funding Statements.</p> <p>We are particularly concerned around the proposal to set the levy on occupation as this may mean the development will be occupied before the necessary infrastructure is in place. It fundamentally challenges the way we plan for infrastructure needs and ensuring this is in place prior to occupation. Assuming that local authorities will be prepared to borrow in advance of unknown receipts as the levy crystallizes at the end point in the process is unrealistic, particularly in uncertain economic times and could lead to a plethora of issues around local authority financing borrowing against monies which are never received. This proposal will ultimately lead to the delay of monies being received by the authority and potentially result in finished and occupied developments with a lack of infrastructure to support it, raising issues of statutory school provision, sufficient health facilities, road infrastructure etc. There is no evidence to suggest – at least not in the context of Wandsworth – that charging CIL has prevented developments from coming forward.</p> <p>By moving the point of payment to the end stage of the process, it is residents that are looking to exchange on a new property that will potentially suffer delays in conveyancing whilst valuations are agreed, and the levy is paid. In the worst-case scenario, the new occupier will inherit a significant liability on the land if due diligence in conveyancing were not to be carried out – experiences of such instances in relation to CIL have resulted in much distress for residents. It is a concern that ‘contractual riders’ may become the norm to avoid delay in property transaction, embroiling new residents in another layer of legal wrangling post move where less reputable developers are involved which is also burdensome for the local authority itself.</p> <p>The current process of s106 allows for the direct mitigation of development impacts, and to secure on-site infrastructure requirements in addition to affordable housing provides greater</p>
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	<p>certainty that this will be forthcoming as opposed to a single cumulative levy. This also allows authorities to plan for necessary uplift in services and infrastructure in advance of these being actually required.</p> <p>The White Paper suggests that keeping the neighbourhood proportion from CIL would help to ensure that infrastructure is paid for in the area that the levy is raised, albeit it is understood from MHCLG this will be a smaller proportion of the total funding pot. In addition, the neighbourhood proportion is intended to fund smaller items and not strategic infrastructure.</p> <p>The proposed setting of the threshold is also unclear. Whilst in Wandsworth a significant amount of development takes place on large sites, there is still a substantial amount of development coming forward on smaller sites. The cumulative impact of all those smaller developments also places demands on our infrastructure. Coupled with the proposed change to lift the threshold of affordable housing contributions to 40-50 units, these smaller developments should – in theory and in practice – become increasingly viable, which would completely negate the need for raising the Infrastructure Levy threshold unnecessarily; all it would do in our instance is result in a substantial loss of monies available for funding much needed infrastructure to support the growth and development in the borough.</p> <p>We strongly recommend that the focus should be on finding ways to improve the current system to make the process quicker, smoother and more transparent.</p> <p>Whichever approach is taken, it is essential to capture any uplift in land value. The increase in value of for example a vacant industrial site could be enormous, and this value uplift needs to be captured and be made available to support the provision of necessary infrastructure. At the moment, there is no clarity in the White Paper about how this would be worked out from development values, how the existing use value would come into play and how risks would be assessed etc.</p> <p>We also think that any new approach should have the ability to build in reviews, as is possible with s106 agreements, to cater for changing circumstances.</p> <p>The mechanism for valuation needs to be clarified as there are inherent risks here for a local authority in terms of revenue collection if the process used to determine actual value is inconsistent or reliant on subjective assessments – ultimately it should not be possible for a developer to deflate value in order to reduce the burden of the levy.</p>
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	<p>Overall, we cannot see how the proposed Infrastructure Levy could do anything other than reducing our total receipts. In our instance, it will be inevitable that less monies would be available for community infrastructure if this change were to be implemented. Determining the levy liability at occupation is too late in the process, creating uncertainty and risks for both the developer and the local authority, which has the potential to undermine the government’s objective to get Britain building.</p>
<p>Q22. (b) Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?</p> <p><input type="checkbox"/> Nationally at a single rate</p> <p><input type="checkbox"/> Nationally at an area-specific rate</p> <p><input checked="" type="checkbox"/> Locally</p>	<p>Due to the differences in land and development values, even in a single authority like Wandsworth, as evidenced by our existing CIL Charging Schedule, which was supported by a detailed Viability Study, the Infrastructure Levy rate should be set locally. As every authority who has an adopted CIL in place will know, detailed bespoke economic viability studies are needed to support the setting of the CIL rates. This process ensures transparency; developers and landowners are actively invited to take part in the work on setting CIL rates, with the overall aim of ensuring that CIL rates do not adversely affect the viability of developments coming forward.</p> <p>The process of setting CIL rates is fundamentally linked with the policies that a local authority has adopted in its Local Plan, to ensure overall viability is not affected.</p> <p>The option of a sole single national rate is not supported; developers in high value areas like London and the South East would make significantly more profit than developers elsewhere in the country. We understand that no modelling or testing has been done; however, MHCLG would have no choice other than using the lowest common denominator for the whole country.</p> <p>Even area-specific rates are not considered to be feasible as they would not adequately reflect the local circumstances. As we have found in the case of Wandsworth when undertaking the viability for the CIL Charging Schedule, parts of the borough, such as Nine Elms have significantly higher values (i.e. up to £575 per sqm for residential) than other areas, for example Roehampton (where we have an adopted Nil rate). Even if set as a percentage for example of development value, it will not allow for a sufficiently fine-grained approach. It is essential that the Infrastructure Levy is set at a rate that would yield appropriate levels, and as a minimum, that achieve the same contribution rates that we are currently getting through the combination of CIL and s106, whilst also factoring in sufficient headroom to maintain and increase levels of affordable housing delivery which will be supported by the levy.</p> <p>As mentioned in our response above, it is acknowledged that the government is concerned that many authorities have not got an adopted CIL Charging Schedule. We recommend a hybrid solution be considered that government will set national or area-specific national rates that will apply unless an authority has adopted its own Infrastructure Levy rate, based on local justification and viability evidence (following the national methodology for setting the Levy).</p>

	<p>This would also chime with the report by the independent CIL review group led by Liz Peace CBE, which also recommends local flexibility to account for “variations in local markets, viabilities and development types”.</p>
<p>Q22. (c) Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?</p> <p><input type="checkbox"/> Same amount overall</p> <p><input checked="" type="checkbox"/> More value</p> <p><input type="checkbox"/> Less value</p> <p><input type="checkbox"/> Note sure</p> <p>Please provide supporting statement</p>	<p>There is no doubt that the overall aim should be to secure a greater proportion of the uplift in land value. It will be difficult to compare income projections from the new Levy to the existing mechanisms (especially as some matters like Local Employment Agreements etc. cannot easily be monetised), but the new Levy would need to be set at a significantly higher rate to mitigate for the losses of contributions and payments in-kind currently secured by s106 agreements, particularly as all the affordable housing is currently secured via s106. We are also not sure how the new Infrastructure Levy would capture wider obligations currently secured via s106, such as in relation to local employment agreements, jobs and skills or necessary contributions as part of a mitigation strategy. Perhaps this is where Footnote 18 in the White Paper comes into effect, which suggests that it may be reasonable to keep some elements of s106; we would support this approach, particularly for ensuring non-financial obligations are being delivered.</p> <p>As a minimum, the new Levy should be able to capture at least the same level of infrastructure funding, on-site provisions as well as affordable housing as CIL and s106 agreements combined.</p> <p>We recommend that government also carefully considers land uses other than residential as well. Whilst it may be easy to set final valuation on residential land uses, it would be far more complex and difficult to do with office, industrial, retail etc. uses; most likely an arbiter would need to resolve matters unless values are imposed – again open to challenge and leading to further delays.</p> <p>Any transitional arrangements between the current and the proposed new system will need to be thought through carefully. There is a danger that developers would take advantage of the changing circumstances. This area of work should not be underestimated, particularly as there is no detail yet on the new Infrastructure Levy itself. In addition, the administrative burden of effectively running three parallel systems for large phased sites which may take a decade to complete also needs to be considered and appropriately resourced.</p> <p>Overall, we consider that ‘more value’ should be captured as almost all authorities who have adopted a CIL Charging Schedule are able to demonstrate significant infrastructure funding deficits. It is however difficult to see from the proposals whether this is going to be achievable, given that no proposed rate or methodology has been produced or published for consideration, and it is unclear how a fixed rate as a percentage of final value might affect developments or also different use classes. In our experience, the setting of the CIL rate required finding the right balance to ensure adequate funding of</p>

	<p>infrastructure whilst not making development unviable; doing this at a national or area level may end up becoming a really complex process.</p> <p>Wandsworth Council strongly considers it will not be advantageous to adopt a new levy over the current mechanisms already in place, which are delivering real results for communities and ensuring that the benefits of accepting development can be clearly demonstrated at the time that development is considered and approved.</p>
<p>Q22. (d) Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>This would result in high levels of risk for local authorities, particularly if the value of the development goes down, or perhaps a developer collapses, and then the authority may find it is in such a situation that it is not able to afford repaying the debt. Whilst local authorities can attempt to project development trajectories based on the information available at a point in time, there is absolutely no certainty in development coming forwards within a particular timeframe and forecasting receipts is inherently difficult, even under the current CIL regime whereby the trigger is construction. Moving to a forecast based on occupation dates and unknown values would not provide the confidence required to borrow, particularly in uncertain economic conditions.</p> <p>Borrowing and spending upfront on infrastructure could put the Council in danger as not all developments come to fruition or they may be subject to delay etc. We also think that significant administrative costs would be involved in monitoring occupation across the authority (as every unit would need to be occupied, and it would lead to significant complexities on large / phased sites); this also links in with difficulties around enforcing this, all of which runs counter to the aims of the overall proposal in terms of minimising further complications. In addition, there will be lots of difficulties when liability passes to new occupiers at the time of occupation, as detailed in Q 22. (a).</p> <p>Local authorities themselves will ultimately need to weigh up the risks they are willing to take, but some may have no choice other than borrow against the Levy (particularly if this for infrastructure that is required in parallel with a development to mitigate the effects). At a time of economic uncertainty and the financial pressures resulting from the COVID-19 crisis, local authorities will need to reach their own decisions in this regard. There is a good chance that the required infrastructure will not be provided resulting in poor place making which does not deliver for residents.</p> <p>Finally, we'd like to point out that the new proposals do nothing to resolve the issue identified in the White Paper around authorities being slow to spend due to 'competing spending priorities' and 'uncertainty over other infrastructure funding streams'. Equally some authorities have spent Levy monies on non-infrastructure provision – school meals, laptops, grant support with no retribution. We actually think that the proposed Levy will complicate prioritisation further,</p>

	<p>particularly as there is far more flexibility on how to spend the monies, with difficult choices having to be made on whether to spend on affordable housing, infrastructure or other priorities entirely unrelated to supporting new development.</p>
<p>Q23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>This proposal is fully supported, and in fact Wandsworth Council has highlighted in previous responses to various government consultations that this issue needs to be addressed.</p> <p>In our borough, a significant amount of conversions from office to residential has taken place. It remains of concern that these developments are not contributing towards infrastructure or affordable housing, and their cumulative impact across the borough, where a lot of existing infrastructure is at capacity, should not be underestimated.</p> <p>Whilst we do not know how much CIL we have missed out on due to Permitted Development Rights, we know that to date we have collected a total of £149.8 million, of which approximately £19.8 million is from small sites.</p>
<p>Q24. (a) Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>We agree on this; however, we are concerned about how this would be achieved as highlighted in our responses above. We also strongly believe that there should be an ability for Local Plans to set out policies on tenure. The delivery of affordable housing is a priority in Wandsworth borough, but the way the proposals are presented in the White Paper doesn't provide us with much assurance that the same level of affordable housing <i>AND</i> infrastructure can be delivered under the new Levy.</p> <p>At this point, we would also like to highlight that the proposal consulted on as part of the 'changes to the current planning system' in terms of increasing the threshold at which Q23 affordable housing can be secured from 10 to some 40-50 units, is contrary to what is set out in the White Paper, which seeks to ensure affordable housing provision is not diminished.</p> <p>Moreover, we note that several developments/uses are currently exempt from CIL, such as self-build and First Homes. The White Paper states that 'First Homes, which are sold by the developer direct to the customer at a discount to market price, would offset the discount against the cash liability.' As set out in our response on 1 October 2020, we support the intention behind the First Homes initiative, which is to help many more local people buy their first home. It raises however some challenges in terms of continuing to achieve affordability of intermediate housing to meet identified local needs and also accommodating other intermediate products such as intermediate rent and London Living Rent, which we believe does have a place in meeting local demands including that arising for key workers. In the context of this borough, the Council would need to negotiate discounts significantly higher than 30% for First Homes; and in addition, they are not CIL liable.</p>

	<p>Exemptions from CIL are not considered to be fair; if we want to achieve at least the same amount of affordable housing under the new Levy, then all developments need to contribute to infrastructure (with the exception of genuinely affordable homes); exemptions that favour one type of buyer over the other should therefore be removed. This will also acknowledge that all types of housing contribute to the demands placed on an area’s infrastructure.</p>
<p>Q24. (b) Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a ‘right to purchase’ at discounted rates for local authorities?</p> <p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>Unfortunately, we cannot support the Levy as a whole without details and assurance that delivering at least the same or higher amounts of affordable housing is actually possible under the proposals and the rate to be set. Without the s106 mechanism, there will be no legal mechanism to secure affordable housing.</p> <p>In terms of the ‘right to purchase’, again, there is very little detail to support this idea in the White Paper. Further clarity is needed as to who will set the discount and whether this will be done nationally or locally. Wandsworth’s current policy requires development viability appraisals on sites where less than 50% affordable housing is proposed and has identified a need for the provision of affordable housing to be split between 60% low cost rent and 40% intermediate housing. The implications arising out of the White Paper are completely unclear whether we will be able to continue setting our own policy requirements on tenure, and therefore we would need reassurance from the government that the proposals would as a minimum match what we are currently seeking.</p> <p>We are also concerned that the ‘right to purchase’ option would create a significant burden on local authorities to administer.</p>
<p>Q24. (c) If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>At first this would appear to be helpful, but overall, as set out in our responses above, we are concerned how the proposed new Levy as a whole would work in practice in terms of our ability to secure affordable housing at the tenure levels to meet local needs, compounded with the potential financial risks of borrowing against future receipts, and reclaiming this being contingent upon full occupation of a development.</p> <p>Unfortunately, at this stage, we do not have much confidence in what is being proposed. The proposed mitigation measures also don’t give us confidence; ultimately, there does not appear to be anything that could mitigate the risk of a direct loss of affordable housing delivery.</p>
<p>Q24. (d) If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>	<p>The quality of affordable homes should not be different from market units, and there is a generally accepted view that housing should be tenure blind.</p> <p>A number of standards could be set, where locally justified, such as we already do in our existing Local Plan, including for example in relation to the nationally described space standards as well as standards for wheelchair housing, carbon emission reduction requirements etc.</p> <p>It is unclear how these additional measures would be set, and what the role of a new NPPF may look like; for example, will it allow for a</p>

<p><input type="checkbox"/> Not Sure Please provide supporting statement</p>	<p>reflection of the varying requirements and priorities of different local authorities. We would however envisage that proposals outlined elsewhere in the White Paper, such as around local design codes/guide will not just apply to market housing but also to affordable homes.</p>
<p>Q25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?</p> <p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Not Sure Please provide supporting statement</p>	<p>Whilst at first this may appear appealing, ultimately the purpose of the Levy should be to fund infrastructure that is required to support the growth and the growing population as well as affordable housing. It is not clear to us what the ‘policy priorities’ may be, and also what ‘core infrastructure obligations’ are (which presumably will be set out nationally...) and how this sits alongside ‘local infrastructure’ – in this regard, we are concerned around the reference to ‘improving services or reducing council tax’. If developer contributions are not spent on dealing with impacts of new developments, this creates a potential problem with the acceptability of new development and how to deliver necessary mitigation and supporting infrastructure to enable that development to take place in the first place.</p> <p>In the context of Wandsworth borough, we doubt that the proposed system would generate revenue in excess of infrastructure and affordable housing needs. However, we do think that contributions from developers should only be used to fund infrastructure needs generated by developments, and not to fill some gaps elsewhere. Any spending of Levy receipts other than on infrastructure and affordable housing would cast a shadow over the whole planning system and the way infrastructure is being funded, and why developers should contribute to it and how local communities can benefit from new development.</p> <p>Careful consideration will also need to be given to the current neighbourhood CIL proportion as the 15% or 25% respectively would yield significantly more than under the current system of CIL, although as mentioned above, we understand from MHCLG representatives that this proportion will be smaller; this has however not been made clear in the White Paper.</p>
<p>Q25 (a) If 'yes', should an affordable housing ‘ring-fence’ be developed?</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Not Sure Please provide supporting statement</p>	<p>A ring-fence appears to be necessary to ensure authorities are spending monies on affordable housing as well as on infrastructure, as otherwise this could lead to increased pressures elsewhere. However, we do not support a rigid ‘ring-fencing’ requirement but would like to use local information and knowledge to determine how much is required. Ultimately, we would like to see a system where there can be guarantees that affordable housing will be delivered on the ground; ring-fencing monies would go some way in addressing this.</p>

Equalities Impact

<p>Q26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Not Sure</p> <p>Please provide supporting statement</p>	<p>We would like to highlight several potential areas that may need further consideration:</p> <ul style="list-style-type: none"> - Community engagement: Wandsworth has an adopted Statement of Community Involvement (SCI), and inclusive public consultation is important to us, at all the relevant stages in plan-making and decision-taking. - ‘More democracy’: This is stated by the White Paper, however, it appears that the proposals do not necessarily promote a level playing field for everyone to have their say at the most critical stages in the plan-making and decision-taking process. - Digital technology: Whilst the enhanced and wider use of this is welcomed, there needs to be an acknowledgement that this will not be the most suitable means for everyone, and that some members of our society may not have access to digital technology or the knowledge to use it. Other methods of consultation and engagement must continue to exist as otherwise we may disenfranchise members or groups of our society. - Inclusive design and access: There is no mention of health and wellbeing nor specific standards and the wider benefits of inclusive, well-designed, accessible homes and inclusive neighbourhoods. If government is minded retaining the word ‘beautiful’, then these should form part of a future definition. <p>Building relationships and establishing trust is likely to require some face-to-face contact; we know from experience that such engagement activities often result in the most meaningful outcomes, and it also allows us to secure buy-in.</p> <p>We are also concerned that the introduction of an Infrastructure Levy will lead to less monies being available for affordable housing. Those approaching the Council for urgent housing assistance are often the most vulnerable and a significant minority will identify themselves as BAME. To characterise these will be households that will be generally on very low incomes and where social housing helps achieve a level of stability to progress. If supply of this housing reduces, temporary accommodation use will increase. It is self-evident and can be evidenced that this will be the case in Wandsworth as the changes across the piece are highly likely to reduce our ability to secure at least the same levels of affordable housing we are currently achieving under the existing system, which will ultimately affect the delivery of genuinely affordable housing.</p> <p>It is difficult to understand how all the above has been fully considered, particularly as these impacts will be more significant in some boroughs and areas than others.</p>
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Final Question

<p>Have you responded to a Government consultation before?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>	<p>Yes, including on the 'Changes to the current planning system'; response submitted on 1 October 2020</p>
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